

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

NICOLE BEDER,

Plaintiff,

vs.

Civ. No. 16-1417 KG/KK

NEW MEXICO ATTORNEY GENERAL'S OFFICE,

Defendant.

ORDER DENYING MOTION TO REMAND,
SETTING BRIEFING SCHEDULE, AND STAYING DISCOVERY


This matter comes before the Court upon Plaintiff's Motion to Remand to State Court for Lack of Jurisdiction (Motion to Remand), filed January 25, 2017. (Doc. 9). Defendant filed a response on February 13, 2017, and Plaintiff filed a reply on February 27, 2017. (Docs. 15 and 17). On April 20, 2017, the Court held a telephonic hearing on the Motion to Remand at which Plaintiff appeared *pro se* and Jaime Kennedy appeared on behalf of Defendant.

Having considered the Motion to Remand, the accompanying briefing, and the argument of Plaintiff and Ms. Kennedy at the April 20, 2017, telephonic hearing, and for the reasons stated on the record at that hearing, the Court determines that Defendant properly removed this case pursuant to federal question jurisdiction under 28 U.S.C. § 1441(c)(1). Hence, the Court DENIES the Motion to Remand (Doc. 9).

The Court further ORDERS that

1. on or before May 5, 2017, Plaintiff will file a brief addressing (a) whether she timely filed her amended complaint (Doc. 7), and (b) if she timely filed the amended complaint, whether this Court should exercise supplemental jurisdiction over the state claims in the amended complaint;

2. on or before May 19, 2017, Defendant will file a response to Plaintiff's brief;
3. on or before May 30, 2017, Plaintiff may file a reply; and
4. discovery will continue to be stayed until the Court rules on the issues presented in the above briefing.



UNITED STATES DISTRICT JUDGE